



MINTURN



— NORTH —

FINAL PUD DEVELOPMENT PLAN APPLICATION



RESORT CONCEPTS

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SECTION 1.0: CONTEXTUAL INFORMATION

1.1 Introduction

This Final PUD Development Plan land use application is proposed for a PUD Overlay Zone District for a residential neighborhood development within the Town of Minturn, also known as the Minturn North PUD. The PUD property encompasses approximately 12.581 acres stretching along the valley floor between existing Taylor Avenue and Minturn Road. The property is bifurcated by existing Fourth Street.



Minturn North Site Looking North

The land use proposal transforms an “infill” dormant property into a thoughtful, diverse and inclusive residential neighborhood respectful of the existing Taylor Avenue residents. The PUD plan seeks to acknowledge the rich heritage of the Minturn area by providing an appropriately scaled built environment interconnected by low-impact infrastructure, appropriate drainage, cohesive streetscape, open space and community-focused play space. Resident lifestyle and service needs are fulfilled by the existing Town of Minturn commercial activities located a short walk or bike ride away. This proposal seeks to find common ground between future development, existing resident and stakeholder desires along with the need for a diverse, vibrant and eclectic Town of Minturn.



Minturn North site looking South



Game Creek

Appropriate scale, environmental sustainability, resource protection and energy efficiency are foundational land planning and architectural design elements. With the use of the latest technological advances in energy efficiency and water conservation, our goal is to provide a sustainable neighborhood designed for the future - enriched by its past.

The architectural character of this special place will be grounded in historical mining context but enhanced by design elements allowed by modern building methods.



Home Rendering



Interior Inspiration



Home Rendering

1.2 Historical Reference



Minturn North stagecoach

The first mention of a settlement near Minturn was around 1879 when Astor City was cited as a camp about six miles from Red Cliff along Kelly's Toll Road which opened in 1879, starting in Leadville and continuing over Tennessee Pass and down Battle Mountain to the Eagle River Valley. Astor City was described as a few tents and huts, a store and one saloon called The Saint's Rest. Although the city was mentioned prior to 1879, no listing has been found in the Astor Fur Trading Company records until 1883 and 1884 when it appeared in the Colorado Business Directory and was listed with no post office and a population of 25. An 1882 topographical map put Astor City at an elevation of 7,856 and placed it on a line 39

degrees 35 minutes north latitude, which put it within Minturn city limits. The first listing of a permanent Minturn resident appeared in 1881 when the Talamage family built a house there. The next year George Booco settled in the area and later acquired title to the land where the town now stands. Booco's land went from the King Ranch to the Peter Nelson ranch at the edge of Meadow Mountain. Most of the town buildings were first constructed on the north side of the river where the train depot was built. However, the original town site burned down and when it was rebuilt, the town blossomed on the south side of the river.

In preparation for the Denver and Rio Grande Railroad coming through town, a six-stall round house was erected. In addition, a big turntable pit was built. A cement structure about eight feet deep, it had cement sides with one rail in the pit. A steel structure with wheels rode on the rail and would move the locomotives from yard tracks to the intended stall in the roundhouse. Today the Turntable Restaurant is the only reminder of that facility. When the railroad arrived in 1887, Minturn quickly developed into a booming crossroads for transportation and industry. Three passenger trains a day ran east and west carrying passengers to Glenwood Springs or Denver. First named Kingston Station and next Booco Station, the town was renamed Minturn in 1887 for Robert B. Minturn, a shipping millionaire responsible for raising the money to bring the rails west. By 1890, Minturn had 191 residents. The most notable were the Booco family, who gave some of their land to develop the town. Others included John Kolnig, who

made his home north on the Eagle River and Peter Nelson and his wife, Johanna, who homesteaded near Meadow Mountain.

In 1904 the town incorporated with Frank Stacey becoming the first mayor. In the early 1900s, a water supply for Minturn was of major concern, and in 1913 a water line from Cross Creek was built to the town. In 1917 sidewalks were put in place. Electricity came to town in 1928 and a central sewer system was finally installed in 1955. Up until that time, people had privies over the river or they installed pipes that emptied into the river. With the mining camps booming in Gilman and in the Homestake drainage, the Minturn ranchers and farmers had a lively business supplying those towns with goods. In the 1920s and 1930s farmers found that lettuce grew abundantly in the cool mountain air. At Eagle Park, the valley that was later to become Camp Hale, the Eagle River was dammed in the winter and ice harvesting was a big business. Shipped to Minturn, the ice was stored in icehouses located in the area called Smokey Town. Those handling ice were paid 35 cents an hour. With the availability of ice for the lettuce, the Nelson Ranch helped to make Minturn the lettuce growing capital of the United States in 1920. Although lettuce



Minturn North stagecoach

production continued into the 1930s, brown rot and the Depression ended fortunes made from the vegetable. Also, the need for ice ended in the 1930s when self-contained refrigerated cars were produced. The icehouse remained vacant for many years until 1958 when it was demolished and sold for scrap. Today, you can still see the cement foundations of the icehouse on the north side of the river just before you enter town.

The Denver and Rio Grande Railroad line served mainly as a transcontinental bridge line between Denver and Salt Lake City, Utah. With a motto of, "Through the Rockies, not around them," the railroad handled mostly coal and minerals with a grade of three percent to the top of Tennessee Pass at 10,200 feet, extra engines were stored in the roundhouse for the return trip to Leadville. In 1913, engine No. 513 was in the roundhouse with steam in its engine. It started forward and had no emergency brake. The engine proceeded to crash through the roundhouse wall. Town folks had a grand time having their photograph taken with the engine. Another time, a train left the station in Minturn, lost its brakes, and continued to Edwards before derailing and spewing mine tailings all over the hillside. To this day, many wonder why those tailings are in Edwards. The railroad and its workers were a large part of Minturn's economy in the 1920s and 1930s. To care for the extra engines needed for the uphill climb to Leadville, crews were needed in Minturn, and until 1934, Minturn was almost exclusively a railroad town. Then in 1943 the Dotsero cutoff was completed, which ran the 34 miles along the Colorado River. With this cutoff, trains running from Grand Junction could avoid climbing Tennessee Pass. The Denver and Rio Grande naturally favored the shorter, lower route, and for several years, the importance of the railroad faded in Minturn.



Minturn Mercantile

A memorable place in Minturn was The Saloon, which was a short way from the town depot. Originally the building had an enclosed porch in front and two big rooms inside. It was known as Pat's Pool Hall and run by Pat Whitmore. One room was used for storage and the other, heated by a pot-bellied stove, had pool tables. Although liquor was outlawed in Colorado in 1916, beer and whiskey flowed freely. Gambling was also illegal then, but no one paid a lick of attention to that either. Hank Elliott, who had a ranch along Gore

Creek, was a bootlegger as were other ranchers along the creek who needed a cash business. The Whitmore's also put on prizefights in the 1930s, followed by a dance on Saturday nights. The fighters would train at Pat's Pool Hall, the portable ring disassembled, and then reassembled at the Minturn Mercantile Building Bearcat Bearden, from Squaw Creek, was a favorite prizefighter. Today, small portions of the Mercantile remain, incorporated into the Minturn Country Club. Eventually a dentist, O.W. Randall, homesteaded along Tigiwon Road. He began pilgrimages to the Holy Cross National Monument, which was designated by President Herbert Hoover in 1928. Hundreds of pilgrims came by train to make the trek. Those that couldn't make it sent handkerchiefs to be carried up the trail believing that the spiritual benefit would cure ills of the owners.

With World War II on the horizon, the Gilman mine went into high production and Camp Hale was built, employing many Minturn residents. Brothers Sig and Art Nelson sold the area known today as Maloit Park to the New Jersey Zinc Company before the company built tailing ponds. The company created a park for employees, including a golf course, picnic area, tennis courts, and a rodeo arena. Minturn provided housing for many soldiers' wives during its lifetime. Once the war ended, Camp Hale was no longer used and was finally dismantled in 1964. The mine shut down in 1981 and became a Superfund Site from the mine tailings seeping into the river. And in 1997, the last train passed through Minturn.



Camp Hale

2.1 Land Use Application Form

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2.2 Project Data

The Minturn North PUD represents a carefully designed new 39 single-family residential neighborhood located in Minturn, a central location in the Vail Valley, Colorado. This neighborhood represents “infill” on a moderately sloping site well suited to a Master Planned neighborhood by a number of different measures. These measures include walkability to commercial activity, access to existing recreation trails, views, open space, and overall livability. The plan is consistent with long-term Town of Minturn planning efforts including the 2009 Town of Minturn Community Plan.

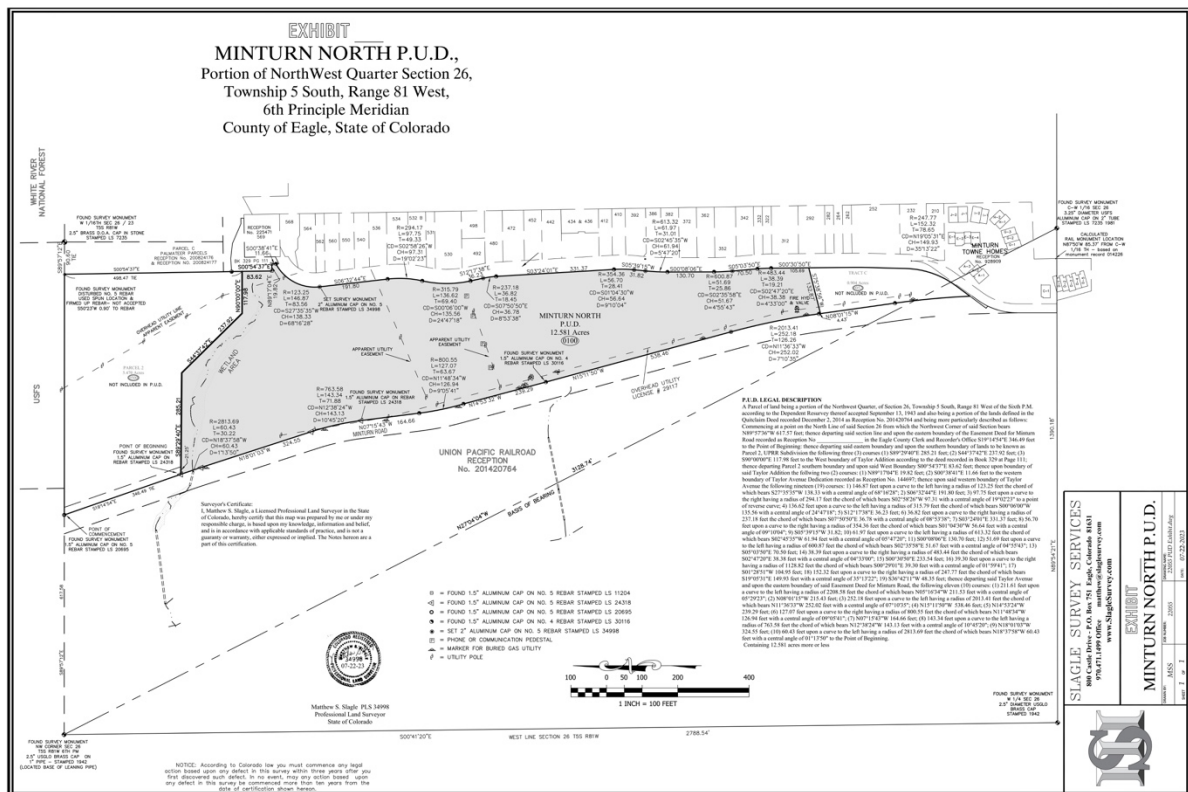
The plan responds to evolving local, regional, and national consumer demands. For example, planning principles include sustainable energy, clustered density within walking distance to commercial activity, and a diverse inclusionary approach to housing. The plan embodies the spirit of “we over me” by balancing the needs of all inhabitants and creating a sense of community and fulfillment through shared values that are exemplified in the focus on quality, sustainability, energy efficiency and inclusivity rather than exclusivity.

A balanced approach inclusive of land planning, creation of the built environment and financial realities are essential to creating a successful neighborhood. Minturn North represents a piece of a larger puzzle which presumes commercial needs and higher density residential is more appropriately located within the Town core. Therefore, the intent of Minturn North is to provide an appropriately scaled residential neighborhood which will support existing needs rather than detract from them. With this in mind, the Minturn North PUD is designed with low-density single-family residential in keeping with its surroundings while also supporting the commercial needs of the Town of Minturn.

SALIENT FACTS

- PUD Area = 12.581 Acres
- 4.23 Acres (31.3%) of Open Space
- Lots 34-39 are deed-restricted for “Permanent Residents Only”
- Taylor Avenue lots average 0.168 acres; Minturn North lots average 0.166 acres
- Minturn North planning targets permanent residents
- 39 Total residential units
- Lots 1-33 are deed-restricted requiring Non-Permanent Minturn resident buyers to pay an additional 1% Transfer Assessment to the Town of Minturn

The property is comprised of 1 parcel of land which is to be recorded upon Final Plat Approval. The legal description of the Minturn North PUD is provided in **Appendix A**.



2.4 Applicant's Identity

The applicant is Minturn Crossing, LLC, which is represented by:

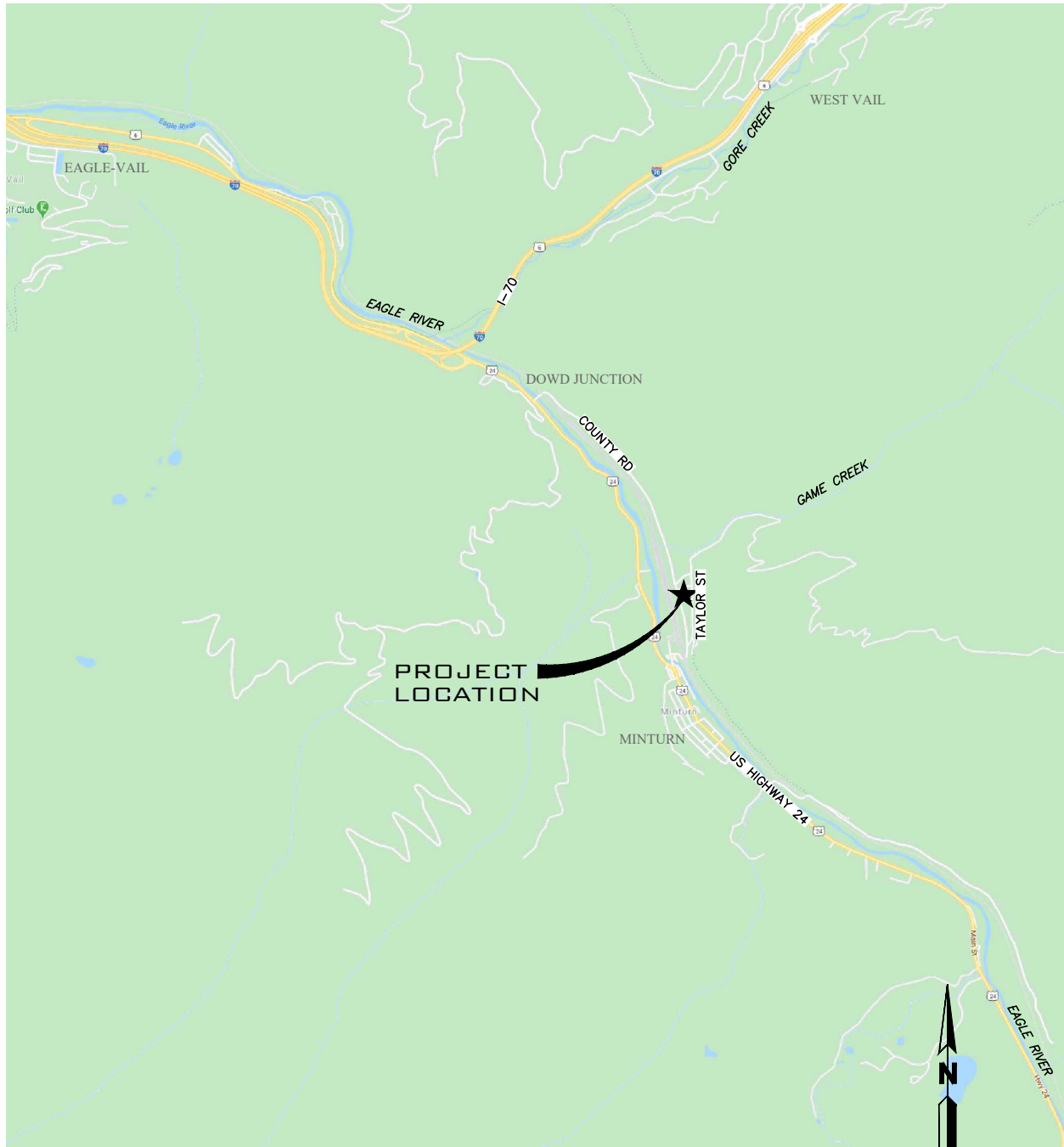
Minturn Crossing, LLC
Attn: Rick Hermes
225 Main Street, Suite C-101
Edwards, CO 81632

Office: 970-926-1720
Cell: 970-688-1062
Email: RickH@ResortConceptsCO.com

2.5 Title Commitment

The title commitment is provided in **Appendix B**.

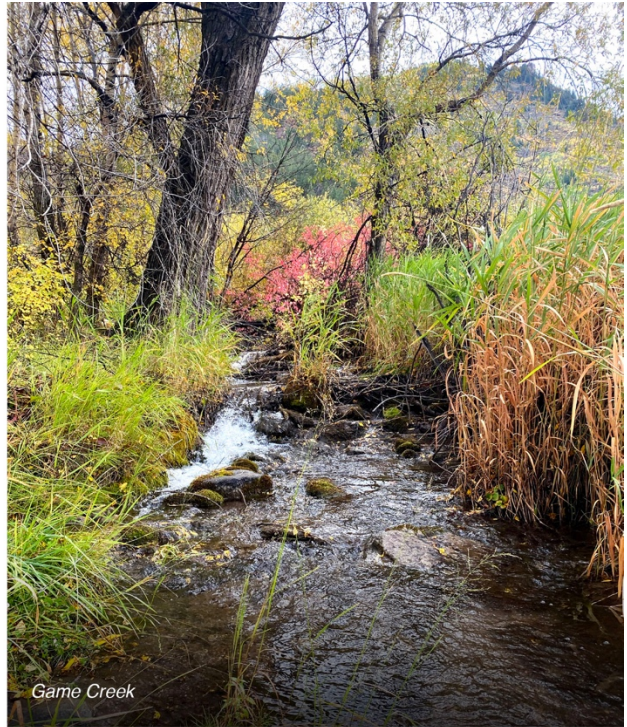
2.6 Vicinity Map and Property Photos



Minturn North Vicinity Map



View Looking North



Game Creek



View Looking North



View looking West



View Looking North



View from Fourth Street Looking West

SECTION 3.0: PURPOSE AND GENERAL PROVISIONS

Town Code Sec. 16-15-10

3.1 PUD Purpose and General Provisions

This Final PUD Development Plan (“Minturn North PUD”) is being provided by the applicant to allow flexibility in the creation of a cohesive and creative neighborhood plan specific to Minturn North. A PUD is the most appropriate process for the controlled use of the subject property and is consistent with the PUD Overlay Zone District in which the property resides. The purpose of PUD designation is to encourage flexibility and innovation in the development of land, provide the community with usable open spaces and to promote a greater variety in design and layout of buildings. Sections 3.1 – 3.4 are intended to satisfy Article 15 Sections 16-15-10.a and 16-15-10.b “Purpose and General Provisions” of the Town Code.

3.2 Consistency with Community Plan and Public Benefits

Minturn North intentionally provides for consistency with the 2009 Minturn Community Plan and significant public benefits. These consistencies and benefits include but are not limited to:

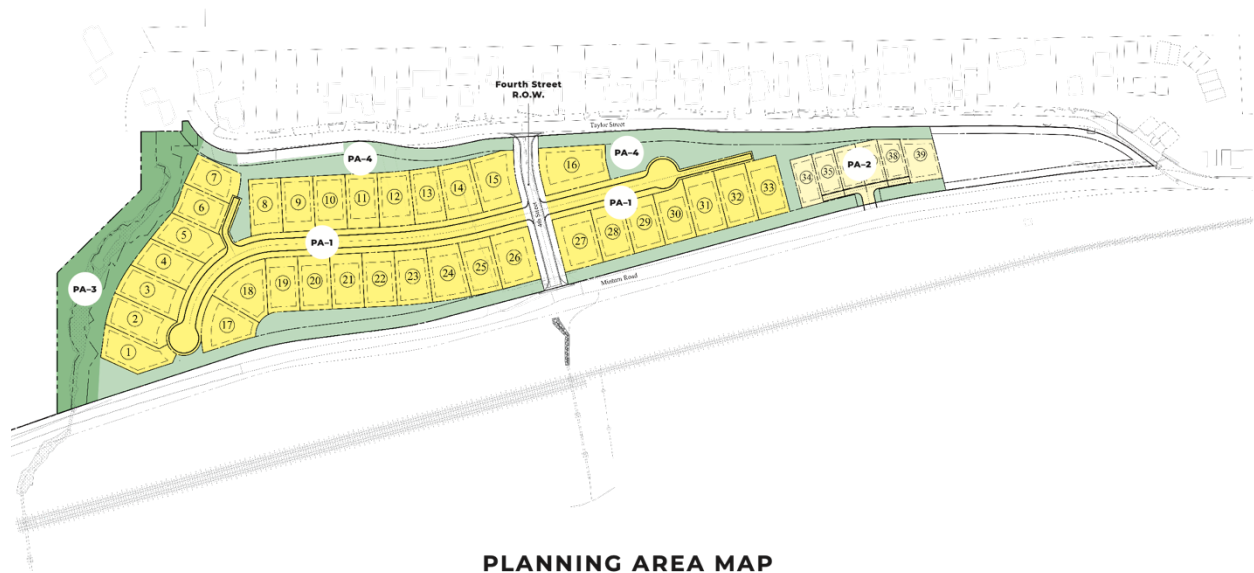
1. The plan provides for new technological advances in construction and energy efficiency as well as providing for efficient and cohesive land use patterns consistent with surrounding properties
2. Cohesive planning of a privately owned parcel to achieve an “infill”, pedestrian friendly, socially inclusive, and sustainable master planned neighborhood. The plan contributes to a safe and walkable land use with the addition of sidewalks, public trails, connection to the ECO Trail and improvements to Minturn Road.
3. The PUD establishes a platted minimum 30' setback to Game Creek which preserves and values the existing natural resources of the area.
4. The land plan accommodates appropriate space for drainage and landscaping as well as low-impact infrastructure. These attributes contribute to improved air quality and a quality-built environment.
5. The plan provides for a variety of housing options including six (6) “Permanent Resident Housing” homes on Lots 34-39 in support of existing needs. Additionally, Lots 1-33 shall have a deed restriction which requires a 1% transfer assessment paid to the Town of Minturn by any non-permanent resident Buyer. This structure assures a long-term approach which contributes to the financial stability of the Town of Minturn.
6. The controlled uses and quality design characteristics allowed within the Minturn North PUD improve upon the overall character of the area in response to the 2009 Minturn Community Plan.
7. The Minturn North PUD has been designed as a cohesive and appropriately scaled single-family neighborhood suitable to the location and in support of the Town’s commercial core.
8. The land plan has been designed as a low-impact neighborhood which promotes safe and efficient circulation, compact and consolidated utility extensions, and energy conservation.
9. The Minturn North PUD avoids environmentally sensitive areas and avoids natural hazard areas.
10. The land plan enhances surface and groundwater quality by providing a minimum 25’ drainage, utility, snow storage and landscape easement along Taylor Avenue and Minturn Road.

Appropriate dimensional limitations provide adequate space around building envelopes to allow for surface drainage and landscaping.

11. The PUD includes a 10' wide paved ECO Trail connection through the PUD property with a 5' wide sidewalk along Fourth Street for enhanced connectivity, thus contributing to the existing Town of Minturn multi-use trail system. Additionally, three (3) public access soft-surface trails connect Miles End Lane to Taylor Avenue and the ECO Trail. The trails will be maintained by the Minturn North Property Owners Association.
12. The PUD includes 4.23 acres (31.3%) of open space.
13. The internal roadways, "Miles End Lane" and "Silver Star Trail" are to be installed by the Developer. The internal roadways will be owned and maintained by the to-be-formed Property Owners Association at no cost to the Town of Minturn. Miles End Lane allows for public access overlay easement.
14. The Developer proposes to pay for and pave Minturn Road from the PUD boundary to the intersection of Highway 24, including turn lanes, as required, by CDOT.
15. The PUD establishes sustainable compliance requirements regarding interior water use, irrigation and energy consumption.
16. The PUD shall abide by the Town of Minturn Design Guidelines and procedures.
17. Preserves small town, eclectic, rural character through appropriate architectural scale and design.
18. Provides opportunity for local housing.
19. Supports existing commercial/retail needs in the Town of Minturn.
20. Protects and preserves natural resources.
21. Embraces Minturn design principles and represents a thorough response to stakeholder comments.
22. Provides domestic water and wastewater service extension to the area.
23. International Dark Sky Association approved strategies and fixtures are being utilized to enhance nighttime character and preserve the quality of the dark night sky.
24. Architecture is compatible with and complements the unique history of the area.
25. Showcases the latest technological advances in energy efficiency and water conservation.
26. Provides economic benefits to the Town of Minturn.
27. Promotes a healthy, safe, sustainable, and respectful lifestyle.
28. Recognizes that future land use proposals will likely occur on adjacent properties.

3.3 Land Use Summary

Proposed land uses include open space, parking, park space and single family residential. The allowed land uses, locations, densities, setbacks and dimensional limitations are described in detail in the proposed PUD Guide included in **Appendix C** herein. For reference purposes, below is a general summary of the land use by planning area.



LAND USE SUMMARY					
Planning Area	Allowed Uses	Density	Acreage	Density/Acre	Comments
PA-1	Residential	33 D.U.	7.29	4.53	Refer to PUD Guide for additional detail
PA-2	Residential	6 D.U.	0.68	8.82	Refer to PUD Guide for additional detail
PA-3	Open Space	N/A	1.45	N/A	Game Creek buffer zone
PA-4	Common Area Open Space	N/A	2.78	N/A	Property Owners Association Common Area
Fourth Street	R.O.W.	N/A	0.385	N/A	To be dedicated to Town of Minturn
TOTAL		39 D.U.	12.581	3.1	

3.4 Additional Water Rights Summary

The water rights being purchased in conjunction with the Minturn North PUD property are noted in **Appendix D** and shall be conveyed to the Town of Minturn.

SECTION 4.0: GENERAL STANDARDS

Town Code Sec. 16-15-70

4.1 Written Description

The Minturn North PUD represents a comprehensive master planned neighborhood designed to address existing needs at an appropriate scale within the context of the Minturn Community. The PUD was thoughtfully planned to be in substantial conformance with the Minturn Town Code and 2009 Community Plan in a manner that will be environmentally and financially sustainable.

The plan presents an opportunity for local government and the private sector to work cooperatively creating a comprehensive master planned neighborhood that will “set the bar” for future development in Minturn. By its very nature, all place-making entails some amount of impact to the natural environment and to man-made systems. The Minturn North PUD is no exception; however, development impacts and stakeholder comments have been carefully analyzed and mitigation measures have been incorporated to the greatest degree practicable.

4.2 Consistency with 2009 Community Plan and Surrounding Land Use

Standard: The PUD shall be consistent with the intent of the Community Plan and the policies therein shall be compatible with the Game Creek Character Area and with the surrounding land uses and shall not detrimentally affect adjacent or nearby properties.

Applicant Response: The Minturn North PUD substantially conforms to the 2009 Minturn Community Plan, Town of Minturn Code, Game Creek Character Area and Surrounding Land Uses by addressing the following 2009 Community Plan Goals and Strategies:

Goal (CCG1): Maintain, Build Upon and Promote the Town’s Image as a Unique, Eclectic Non-Resort Town with a Strong Sense of Community

The average lot within the Minturn North neighborhood is slightly smaller than the average lot within the adjacent Taylor Avenue neighborhood. All homes within Minturn North are subject to a 28’ height limitation as defined in the Town of Minturn Code. Homes have been designed to provide for a diverse range of users from young family to empty nester retiree, and range in size from 1,700 s.f. to 4,500 s.f., compatible with the size of existing single-family, townhome, and duplex structures within the immediate area.

Appropriate snow removal and storage areas are located within the PUD for the use of Minturn North and Taylor Avenue . Dark sky compliant exterior light fixtures are to be used on all residences, unless otherwise approved by the Town of Minturn for the purpose of security.

Homes have been designed to promote the Town's eclectic style by incorporating architectural elements and materials commonly used throughout the Town. Each home will be customized to suit the individual personalities of each homeowner and will be subject to Town of Minturn Design Review Board Approval.

Goal (SGG 1): Encourage Green and Sustainable Practices Throughout the Community

Each residence within Minturn North includes an electric vehicle charging station, and the use of solar panels is encouraged. The site plan has been designed to include 31.3% open space and a minimum 30' setback along Game Creek. Site drainage has been carefully designed for optimal efficiency and water quality.

Class A asphalt roof shingles, metal roofing and "Firewise" landscaping principles will be used within the PUD.

Goal (SGG 2): Develop and Practice Green and Sustainable Processes

Infrastructure has been designed to limit the amount of impervious surfaces within the PUD.

Goal (LUG 1): Enhance the Town's Status as a Walkable and Bikeable Community

Applicant is installing a 10'-wide, paved Eagle County Trail from Taylor Avenue and Minturn Road intersection to the northern PUD boundary. Additionally, the applicant is installing a 5'-wide concrete sidewalk along the north side of Fourth Street. Applicant has agreed to install three soft-surface public trail connections from Miles End Lane to Taylor Avenue and the ECO Trail. Applicant has also agreed to pay for improvements at the Railroad Avenue s-curve to allow for safe pedestrian access. The paving of Minturn Road from the North PUD boundary to the Highway 24 Intersections, including turn lanes required by CDOT, will be paid for by the applicant.

Goal (AHG 1): Promote Affordable Housing

Minturn North includes (6) six deed-restricted "Permanent Resident Housing" lots, Lots 34-39, initially offered to existing Town of Minturn Residents and subsequently offered to Buyers who will become permanent residents of Minturn.

Goal (PFG 1): Ensure that Public Facilities are Planned and Implemented to Support New Growth and Existing Population Centers

Site improvements have been designed with pedestrian scale, site elements including sidewalks, ECO trail connection, pedestrian crossings and appropriate lighting. Storm water drainage and snow storage coming from the east side of Taylor Avenue has been accommodated within the PUD drainage plan. All public improvements are subject to review and approval by the Town Engineer. Above-grade utilities are being buried within the PUD. All parking associated with the residences is provided within each lot per the Town Code. Applicant has included the addition of a maximum of 54 parking spaces at the Game Creek Trailhead.

Goal (EDG 1): Diversify the Town's Economy

The diverse mix of residences anticipated within Minturn North will add to the Town's commercial activity.

Goal (NRG 1): Protect and Promote the Eagle River as a Community Asset

The PUD property does not front or border on the Eagle River Corridor, however, the PUD provides a 30' setback along Game Creek, as well as, a significant investment and improvement in stormwater infrastructure that does not currently exist.

Goal (NRG 2): Protect and Promote USFS lands as a Community Asset

Applicant is adding a dedicated easement for Game Creek trail parking sufficient for up to 54 gravel parking spaces.

Goal (NRG 3): Preserve, Protect and Enhance Environmentally Sensitive Lands

The PUD provides a minimum 30' setback along Game Creek. Applicant has provided a Wildlife Mitigation Plan in **Appendix K**.

Goal (NRG 4): Preserve, Protect and Enhance Ridgelines and View Corridors

The PUD exists on the valley floor, therefore does not impact ridgeline views. The PUD internal roadway, Miles End Lane, has been carefully set into the landscape on or below grade and a 28' building height restriction is applied to each residence to minimize view corridor impacts from existing Taylor Avenue residences. A minimum 25' landscaping, utility, snow storage and drainage easement has been incorporated on the East and West boundaries of the property to minimize off-site visual impact.

Goal (PRG 1): Enhance Recreational Opportunities for all Town Residents and Visitors

The PUD incorporates the installation of a 10'-wide paved ECO trail, Game Creek Trail parking and 31.3% Open Space.

4.3 Promotes Town of Minturn as Recreational Amenity and Focal Point

Standard: The PUD shall provide for the appropriate treatment of the Eagle River Corridor as a community recreational amenity and focal point.

Applicant Response: The Minturn North PUD property does not front or border the Eagle River Corridor, however, the site design provides a 30' setback to Game Creek, and significant investment and improvements in storm water infrastructure that do not currently exist.

4.4 Pedestrian and Vehicular Circulation

Standard: The design and construction of the PUD shall include adequate, safe and convenient arrangements for pedestrian and vehicular circulation, off-street parking and loading space with access adequate to support the anticipated traffic, on- and off-site, including emergency and utility vehicles.

Trails and sidewalks shall be provided to form a logical, safe, and convenient system for pedestrian access to dwelling units and common areas, with appropriate connections off-site.

Applicant Response: The proposed roadway and vehicular circulation system within the project is designed for safety, convenience, and minimal environmental impact.

The proposed project has been designed as a pedestrian-friendly neighborhood. The internal roadways, Miles End Lane (50' private R.O.W. with public access easement overlay) and Silver Star Trail (private R.O.W. varying dimension), will be maintained by the Property Owners Association so that the Town is not burdened by the cost. Miles End Lane is intentionally minimalistic to reduce the impervious material impact and create a more natural internal streetscape appropriate to the scale of the neighborhood. A 50' R.O.W. for Fourth Street shall be dedicated to the Town of Minturn. The Fourth Street connection from Taylor Avenue to Minturn Road includes a 5' concrete sidewalk with ADA accessible ramps. The Fourth Street sidewalk connects to the ECO Trail network which is designed into the Minturn North property east of Minturn Road. The ECO Trail ultimately connects the Minturn North PUD residents to the core of Minturn activity. The ECO Trail is within a platted landscaping, utility, drainage and trail easement. Additionally, Applicant has agreed to install three soft-surface public trails from Miles End Lane to Taylor Avenue and the ECO Trail. A platted easement for the purpose of Game Creek Trail Parking shall be dedicated to the Town. Refer to **Appendix E** for a diagram of the proposed trails and sidewalks.

The internal roadway is designed to permit safe and convenient access by emergency vehicles to all lots. An access easement shall be granted for emergency vehicles and utility vehicles, as applicable, to use private roadways in the development for the purpose of providing emergency services and for installation, maintenance, and repair of utilities. Adequate access to all developed areas within Minturn North provides for emergency vehicles and utility vehicles as needed.

The principal vehicular access points at existing Fourth Street are designed to provide for smooth traffic flow, minimizing hazards to vehicular, pedestrian or bicycle traffic. A 50' R.O.W. for Fourth Street will be dedicated to the Town of Minturn. Cul-de-sacs have been provided at each end of Miles End Lane sufficient for emergency and maintenance vehicle turn-a-round.

Refer to **Appendix E** for map of Pedestrian Circulation Map and **Appendix F** for Vehicular Circulation.

4.5 Setbacks, Lot Widths and Spatial Relationships

Standard: The PUD shall be subject to such setbacks, lot widths and space between buildings as necessary to provide adequate access and fire protection, to ensure proper ventilation, sunlight, air and snow melt between buildings, and to ensure that the PUD is compatible with other developments in the area.

Applicant Response: In order to achieve a more efficient land use pattern and increased common area open space, the applicant is proposing minor variations to the Minturn Town Code which may be granted by the Town Council. The very nature of a PUD is to allow for variances which will improve the quality

of the built-environment within a master-planned area. Refer to **Appendix G** for Dimensional Limitations table. A comprehensive list of proposed variances is provided in Section 5.21 below.

4.6 Adequate Facilities

Standard: The applicant shall demonstrate that the development proposed will be provided with adequate facilities for water supply (domestic and irrigation), sewage disposal, solid waste disposal, electrical supply, and roads, and will be conveniently located in relation to schools, police, fire and emergency medical services or make payment in lieu of such facilities.

Applicant Response: Adequate facilities will be provided to the project as evidenced in Section 5.6 below. All other utilities not mentioned in these sections are located in the Minturn North surrounding area and in some cases already serve the property. Existing fire, ambulance and schools are located in close proximity to the subject site within the Town of Minturn. Detailed engineering plans and additional information relating to adequate facilities have been included in this Final PUD Development Plan submittal in **Appendix M**. A letter from Eagle County Schools has been provided in **Appendix P**. An ability to serve letter from Eagle River Fire Protection District is located in Section 5.15. Ability to serve letters from Eagle County Sherriff and Eagle County Paramedic are located in Section 5.16.

4.7 Proximity to Commercial, Recreational and Educational Facilities

Standard: The PUD will be evaluated in terms of its proximity to commercial, recreational and educational facilities conveniently located to residential housing.

Applicant Response: The Minturn North PUD is conveniently located in close proximity to existing Town of Minturn retail, commercial, recreational and educational facilities. The PUD improves connectivity to these facilities by allowing for the addition of a 10'-wide paved ECO Trail from the northern PUD property boundary to the intersection of Taylor Avenue and Minturn Road. This includes the addition of an ECO Trail bridge crossing at Game Creek paid for by Applicant. Applicant has agreed to pay for off-site improvements at Railroad Avenue s-curve and the paving of Minturn Road from the PUD boundary to Highway 24 Intersection, including turn lanes as required by CDOT.

4.8 Housing Opportunities and Surrounding Neighborhood Continuity

Standard: The PUD should provide a wide range of housing opportunities and other buildings that promote design continuity with the existing community and design continuity in type, size, and layout of buildings.

Applicant Response: The Minturn North PUD represents one of the last remaining larger parcels of land in an infill opportunity area between Taylor Avenue and Minturn Road with walkable access into the Town core. The site plan respects the surrounding residential land uses by providing continuity within a landscape-centric similarly scaled neighborhood with a variety of home styles and sizes. Each home will be customized to suit unique lot characteristics, Buyer preferences, and individuality in keeping with the Minturn eclectic style. The PUD also includes six (6) Permanent Resident Housing units in support of the

demand for local housing. Existing Town of Minturn residents have been given the first opportunity to purchase homes on lots within 34-38. A “Local Housing Deed Restriction” is included in **Appendix H**.

The scale, style, density, and public attributes provide for a “small town” atmosphere which is compatible with the surrounding land uses.

4.9 Maximum Building Height

Standard: Maximum height of structures shall be established by the approved PUD plan.

Applicant Response: The Minturn North PUD shall allow a maximum height of 28’ as defined in the Town Code.

4.10 Snow Storage

Standard: The PUD should provide storage for snow removed from the internal street network, from sidewalks and from off-street parking areas.

Applicant Response: Adequate area has been provided to store snow removed from the internal street network and Taylor Avenue. Internal roadway snow removal shall be maintained by the to-be-formed Property Association and Fourth Street, Taylor Avenue and Minturn Road shall be maintained by the Town. Snow Storage locations and calculations have been included in the Landscape Plans in **Appendix W**.

4.11 Open Space

Standard: Open space for the PUD shall be planned to produce maximum usefulness to the residents of the development for purposes of recreation and scenery and to produce a feeling of openness.

Applicant Response: Pursuant to Section 16-15-160.1.n of the Minturn Town Code, open space is defined as the following:

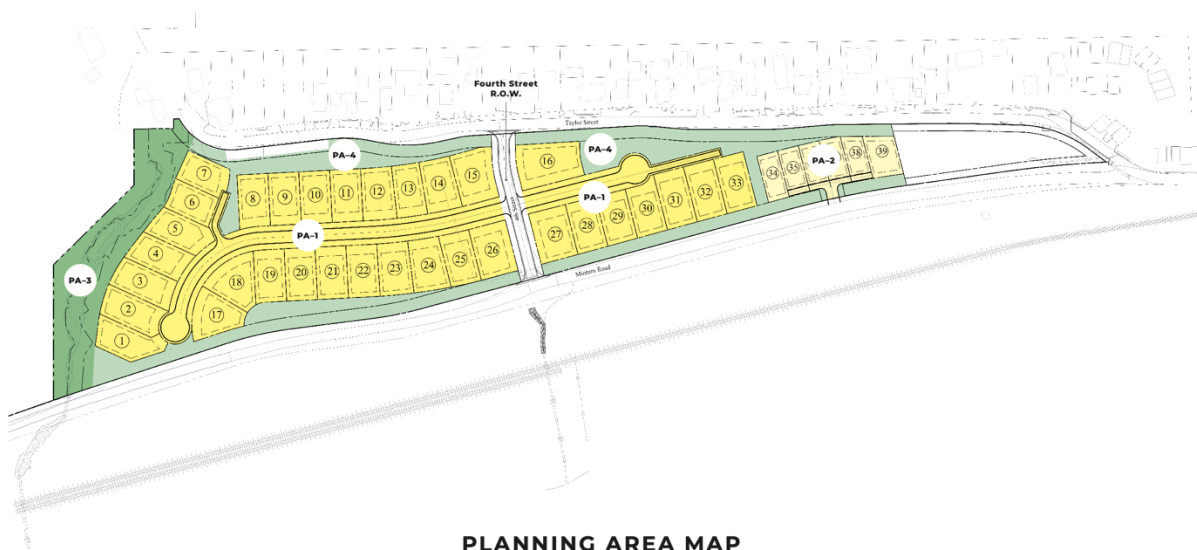
- n. The Final PUD Development Plan shall comply with the following open space and recreation standards:
 1. A minimum of twenty-five percent (25%) of the gross land area shall be reserved for common recreation and usable open space. Parking areas, street rights-of-way and minimum yard setbacks shall not be counted when determining usable open space. Water bodies, lands within critical wildlife habitat, riparian ecosystems and one-hundred-year floodplains that are preserved as open space shall count towards this minimum standard, even when they are not usable by or accessible to the residents of the PUD.
 2. All common open space and recreational facilities shall be shown on the Final PUD Development Plan and shall be constructed and fully improved according to the approved Subdivision Approval Agreement.

3. All privately owned common open space shall continue to conform to its intended use, as approved in the final plan. To ensure that all the common open space identified in the final plan will be used as common open space, restrictions and/or covenants shall be recorded.

Minturn North PUD is comprised of one (1) parcel of land consisting of approximately 12.581 total acres. The total open space area as defined above is 4.23 acres or 31.3% of the Minturn North PUD.

Common Areas within the Minturn North PUD shall be maintained by the to-be-formed Property Owners Association according to the governing documents within **Appendix I**.

All open space shall be subject to the permitted uses specified in Sections 4.3-and 4.4 of the Minturn North PUD Guide. Applicant will provide restrictions and/or covenants which will allow the Property Owners Association governance of the common open space parcels. This governance shall include appropriate maintenance responsibilities associated with the open space property. A map of open space and common area is provided within PA-3 and PA-4 below.



4.12 Mass, Scale and Density – Consistency with Surrounding Land Uses

Standard: The mass and scale of individual buildings and the overall density of the PUD shall be consistent in scale and character to avoid abrupt and/or severe differences.

Applicant Response: The mass and scale of the individual homes is controlled by the Town of Minturn Design Guidelines and procedures and the Minturn North PUD Guide. Building Height is addressed in section 4.9 above and will be limited to a maximum height of 28'. The Minturn North PUD has been designed in a manner consistent with surrounding land use mass, scale, and density. Minimal variances are requested by the Applicant in Section 5.21.

4.13 Increase in Density Mitigation

Standard: Any increase in density proposed above that which is permitted in the underlying zone shall be mitigated by increasing the land dedications to open space and/or recreational amenities and subsequent impact on public facilities.

Applicant Response: The PUD has been designed to comply with the majority of residential standards including, permitted density – existing within or applicable to the adjacent Game Creek Character Area Residential Zone District.

4.14 Residential Density Control and Limitation

Standard: Residential density and intensity of other uses shall be limited as required by the Town Council, upon consideration of the Community Plan, the Official Zone District Map and the Character Area and specific characteristics of the subject land.

Applicant Response: The Minturn North PUD is consistent with the 2009 Minturn Community Plan, Zone District Map, Game Creek Character Area and surrounding neighborhood with regard to density and allowed uses.

4.15 Architectural Character

Standard: Architecture and design fit in the PUD shall reflect the character of the Town.

Applicant Response: The Minturn North PUD shall be governed by the Town of Minturn Design Review Guidelines and Procedures and the Minturn North PUD Guide.

4.16 Conditional or Special Uses

Standard: A PUD may include any uses permitted by right or as a conditional or special use in any other zone, except that any use that has been declared a nuisance by statute, ordinance or any court of competent jurisdiction shall not be permitted.

Applicant Response: The Minturn PUD Guide included in **Appendix C** and the Minturn North Property Association governing documents located in **Appendix J** details the specific uses and constraints which will govern the property in addition to applicable Town Codes and Ordinances. No other uses shall be permitted without express authorization from the Town of Minturn.

4.17 Annexation

Standard: A PUD may be applied to annexed land or other land not zoned by the Town without the requirement for underlying zoning.

Applicant Response: The Minturn North PUD property is located within the Town of Minturn.

SECTION 5.0: SUBMITTAL REQUIREMENTS

Town Code Sec. 16-15-140

5.1 Minturn North PUD Guide and Community Plan

The Minturn North PUD Guide has been provided in **Appendix C**. The PUD Guide sets forth the proposed land use restrictions which will guide future development of the property. The Minturn North Community Plan has been provided in **Appendix S**.

5.2 Open Space, Park and Recreation Plan

The Minturn North PUD addresses appropriate open space, common area, parks and recreation in Section 4.11 above.

5.3 Traffic Study

A traffic study has been provided in **Appendix L**.

5.4 Proposed Trails, Sidewalks and Pedestrian and Vehicular Circulation

A map of proposed trails, sidewalks, pedestrian, and vehicular circulation has been provided in **Appendices E and F**. The internal roadways will be owned and maintained by the to-be-formed Property Owners Association. All other roadways will continue to be owned and maintained by the Town of Minturn. Snow storage areas for the PUD and Taylor Avenue have been provided along the internal roadways and 25' drainage easement along Taylor Avenue as reflected in **Appendix W**. Snow removal on Miles End Lane, Silver Star Trail and all driveways shall be the responsibility of the Property Owners Association.

5.5 Proposed Grading and Drainage Plan

All grading and drainage is addressed within the civil engineering drawings and associated reports. A minimum 25' wide drainage, utility and landscape easement has been included within the PUD along Taylor Avenue and Minturn Road to assure drainage is properly collected and discharged. Civil engineering and associated grading, drainage and storm water quality plans and reports have been provided by a registered Colorado civil engineer and provided in **Appendix M**.

5.6 Water and Wastewater

The property is proposed to be served with municipal water and wastewater pursuant to Town of Minturn, Colorado Ordinance NO. 05 – Series 2020 dated May 6, 2020, and subsequent extensions as may be provided at the Town's discretion. Applicant has agreed to purchase a maximum of 54 SFE's as allowed

with the aforementioned Town Ordinance attached as **Appendix N**. Any unused SFE's purchased by Applicant shall be relinquished to the Town of Minturn.

The property sanitary sewer is to be served by Eagle River Water and Sanitation District. Refer to **Appendix V** for ERWSD Ability to Serve letter. Infrastructure plans and reports have been prepared by a licensed civil engineer and are provided in **Appendix M**.

5.7 Commercial Property and Industrial Supporting Market Data

The proposed PUD does not include commercial or industrial uses.

5.8 Minturn North Covenants and Deed Restrictions

The proposed PUD property Declaration of Covenants, Conditions, Restrictions and Easements has been provided in **Appendix J**.

5.9 Environmental Impact Report

An environmental Impact Report for the subject property has been provided in **Appendix O**.

5.10 Eagle County Schools Impact Statement

Pursuant to School Land Dedication Standards Section 4-700 of the ECLUR, the proposed Minturn North PUD produces the need for 0.59 acres of land dedicated to Eagle County schools. Refer to calculation below.

Single Family Units: 39 x .0151 acres = .59 acres

Total Acres Required: .59 acres

Although Applicant is not required to provide a payment-in-lieu by Town of Minturn Code, Applicant has agreed to pay a negotiated "cash-in-lieu of land dedication" in conjunction with the final plat application. Refer to **Appendix P** for letter from Eagle County Schools.

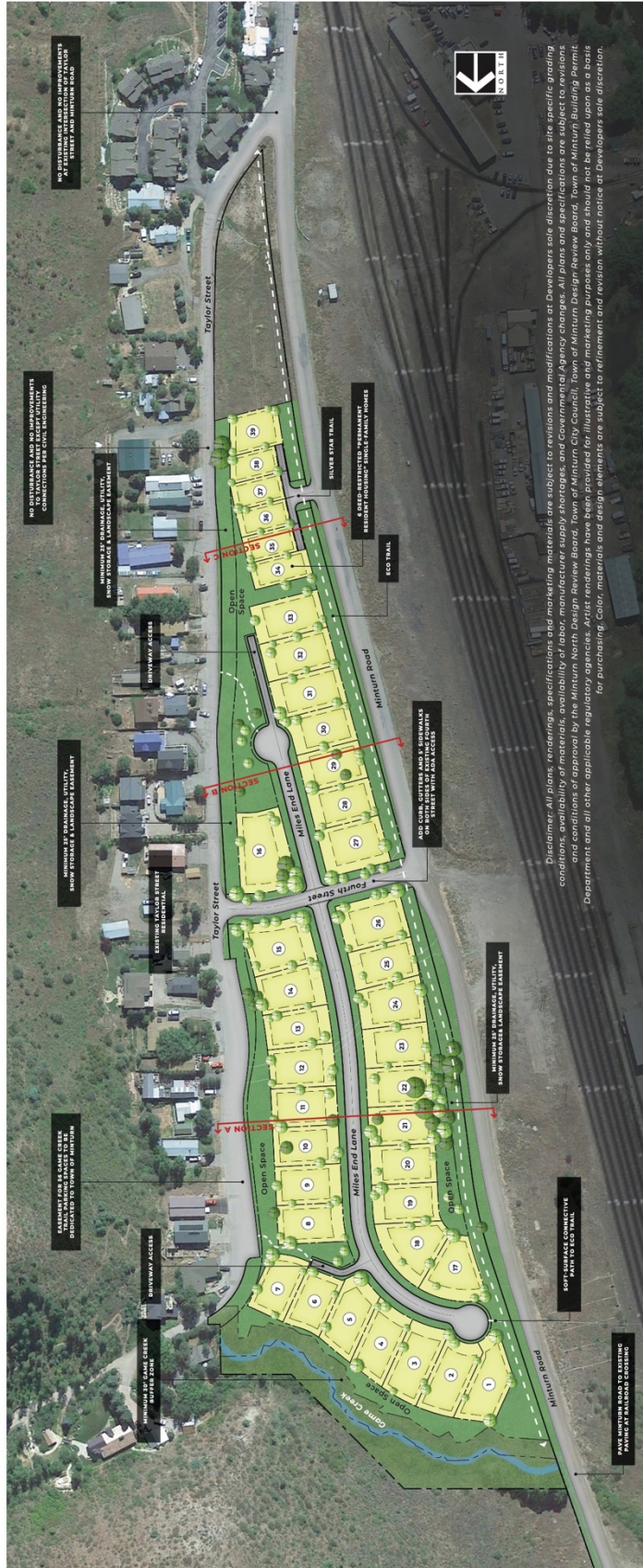
5.11 Town of Minturn Services Impact Statement

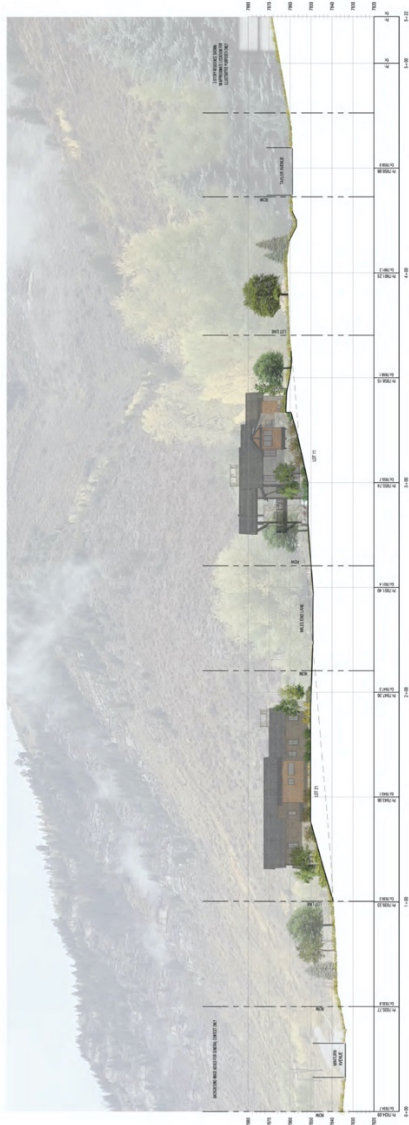
A Town of Minturn Financial Impact Report has been provided in **Appendix Q**.

5.12 Town of Minturn Estimated Tax Revenue

An estimate of Town of Minturn tax revenue has been provided in conjunction with the Town of Minturn Financial Impact report within **Appendix Q**.

5.13 Final Site Plan & Site Sections





Section A



Section B



Section C

MINTURN NORTH PUD – SITE SECTIONS

5.14 Architectural Forms

A community plan has been provided in **Appendix S**. Below is imagery associated with the overall vision for the project.



Example 1



Example 2



Example 3

5.15 Fire Protection

Fire protection will be provided by Eagle River Fire Protection District as evidenced by the letter below.



August 15, 2022

Resort Concepts
Edwards, CO 81632

Subject: Conditional Ability to Serve Letter confirming fire department service for Minturn North.

Dear Rick Hermes,

In response to your request, this letter will serve as confirmation that Eagle River Fire Protection District has enough resources to serve the proposed Minturn North project as submitted on 7-27-2022.

Eagle River Fire Protection District currently responds from five fire stations and has mutual aid response from Vail Fire and Rescue. The nearest fire station to the project address is Station 5 adlocated at 195 Pine Street, Minturn, CO. The address will use purveyed water from a pressurized source for domestic water use and for fire suppression. The ISO protection rating for the construction location is PPC 3.

If the Minturn North design changes, this letter is void and a new "Ability to Serve" letter must be issued. This letter is not transferable.

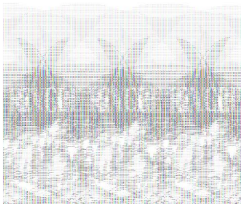
If you have questions, please call the Fire Marshal at (970)736-5064.

Sincerely,

Mick Woodworth, FM
Fire Marshal, Eagle River Fire Protection District

Post Office Box 2942/1050 Edwards Village Blvd, Edwards, Colorado 81632
Phone: 970-736-5064• FAX: 970-949-7965• Email: mwoodworth@eagleriverfire.org

Eagle River Fire Protection District



Form: Plan Review
Inspection

Occupancy: **MINTURN NORTH DBA MINTURN CROSSING MASTER (PUD)**

Occupancy ID: **TEMP RAILROAD**

Address: **MINTURN RD MINTURN CO 81645**

Inspection Type: **Plan Review**

Inspection Date: **8/21/2023**

By: Woodworth, Mick (0019)

Time In: **12:20**

Time Out: **12:21**

Authorized Date: **08/21/2023**

By: Woodworth, Mick (0019)

Inspection Description:

**** PLAN REVIEW LETTER - PLEASE READ THE FOLLOWING CAREFULLY ****

The submitted plans have been REVIEWED by Eagle River Fire Protection District and the comments identified below. The issuance of a permit for this project is based on the plans submitted and compliance with the applicable codes. Conditions found, or other data collected or submitted, shall not prevent the fire official from requiring correction of errors found during fire / life safety inspections.

Inspection Topics:

JURISDICTIONAL PERMIT

Permit Jurisdiction:

Jurisdiction that issued permit.

Status:

Notes:

Permit Number

Permit Number

Status:

Notes:

PROJECT / REVIEW INFORMATION:

CODE USED IN REVIEW: The submitted plans have been reviewed for compliance to the 2015 edition of the International Fire Code, as amended, and applicable NFPA Standards.

Code required

Status:

Notes:

GENERAL PLAN REVIEW INFORMATION / SUMMARY:

General notes on the project / review

Status:

Notes:

SCHEDULING INSPECTIONS:

SCHEDULING INSPECTIONS: The scheduling of inspections shall be completed using the following procedure: -Send an email prevention@eagleriverfire.org or calling 970-748-4739 -TWO days prior to your preferred day of inspection; -Provide the following information: 1) Project Name 2) Permit Number 3) Phone Number 4) Address? 5) Contact Person? 6) Requested inspection date and AM or PM time request.

INSPECTIONS: Required Inspections: Numerous on-site fire department inspections are required at various stages of this project. -See the Fire Department Permit / Inspection Card for a list of required inspections. -It is the responsibility of the contractor to call for all inspections. -All work shall be in compliance with approved plans. -As a result of an inspection, conditions may be found that were not apparent on the plans at the time of review. If such conditions are found, correction

Status:

Notes:

PLAN REVIEW COMMENTS:		
<p>THE FOLLOWING ITEMS WERE NOTED DURING THE FIRE DEPARTMENT PLAN REVIEW:</p> <p>ITEMS noted and any corrections required.</p> <p>Status: Approved</p> <p>Notes: Plan review for hydrant placement site plan submitted 1/31/22</p> <p>1) Hydrants meet IFC and ERFDP requirements.</p> <p>2) Apparatus access meets minimum requirements for fire suppression.</p> <p>Any change will require a further plan review.</p>		
CORRECTIONS REQUIRED:		
<p>The following corrections were identified during the plan review and will be required as noted below.</p> <p>Corrections required.</p> <p>Status:</p> <p>Notes:</p>		
ADDITIONAL PERMITS REQUIRED:		
<p>The following additional permits will be required for this project. Please submit plans in electronic format to prevention@eagleriverfire.org</p> <p>Additional permits</p> <p>Status:</p> <p>Notes:</p>		
ADDITIONAL COMMENTS:		
<p>The plans examiner will add any additional comments pertaining to the review, permit or project if applicable.</p> <p>Additional comments may require action on the applicants part.</p> <p>Status:</p> <p>Notes:</p>		
Additional Time Spent on Inspection:		
Category	Start Date / Time	End Date / Time
Notes: No Additional time recorded		

Total Additional Time: 0 minutes

Inspection Time: 1 minutes

Total Time: 1 minutes

Summary:	
<p>Overall Result: Complete</p> <p>Inspector Notes:</p>	

Inspector:

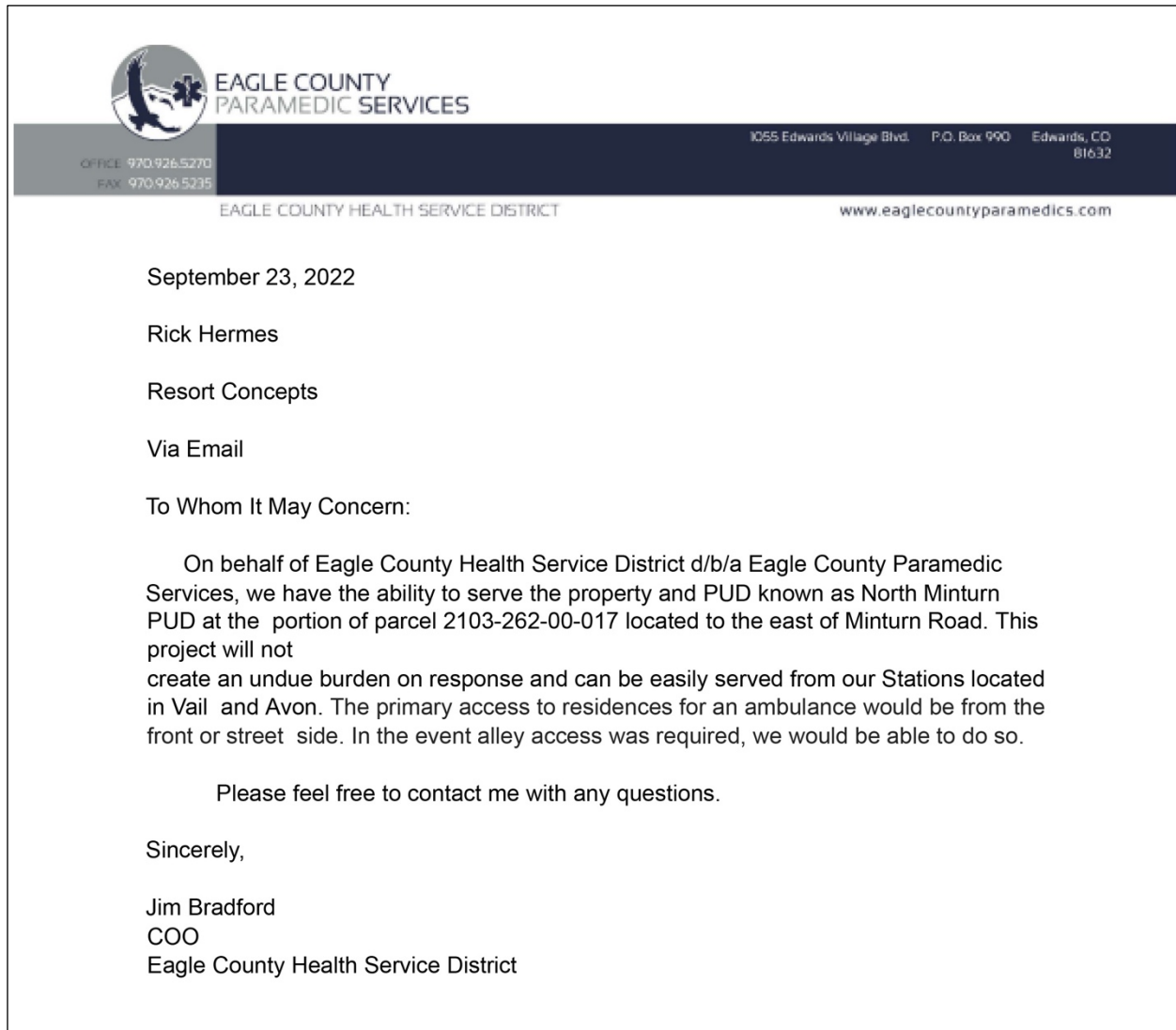
Name: Woodworth, Mick
Rank: Fire Marshal
Work Phone(s): 970-736-5064
Email(s): mwoodworth@eagleriverfire.org

Signature

Date

5.16 Emergency Medical Services

Emergency medical services will be provided by Eagle County Sheriff's Department and Eagle County Paramedic Services as evidenced by the email below.



OFFICE OF THE SHERIFF ★ Eagle County, Colorado

James Van Beek, Sheriff



February 27th 2023

Reference: Minturn North Plan Development

Rick,

Based on my review of the information provided regarding the Minturn North Platt development, Eagle County Sheriff's Office will be able to respond to calls for service in Minturn and the Battle Mountain property without any change to our current response.

We have no concerns with the development of an equipment storage barn on the Battle Mountain property, at 13400 US Hwy 24 Minturn Colorado, as presented. If you have any questions or concerns, please do not hesitate to let me know.

Regards,
Dan

P.O. Box 359 • 0885 E. Chambers Ave. • Eagle, CO 81631
(970) 328-8500 • Fax: (970) 328-1448
info@sheriff.eagle.co.us

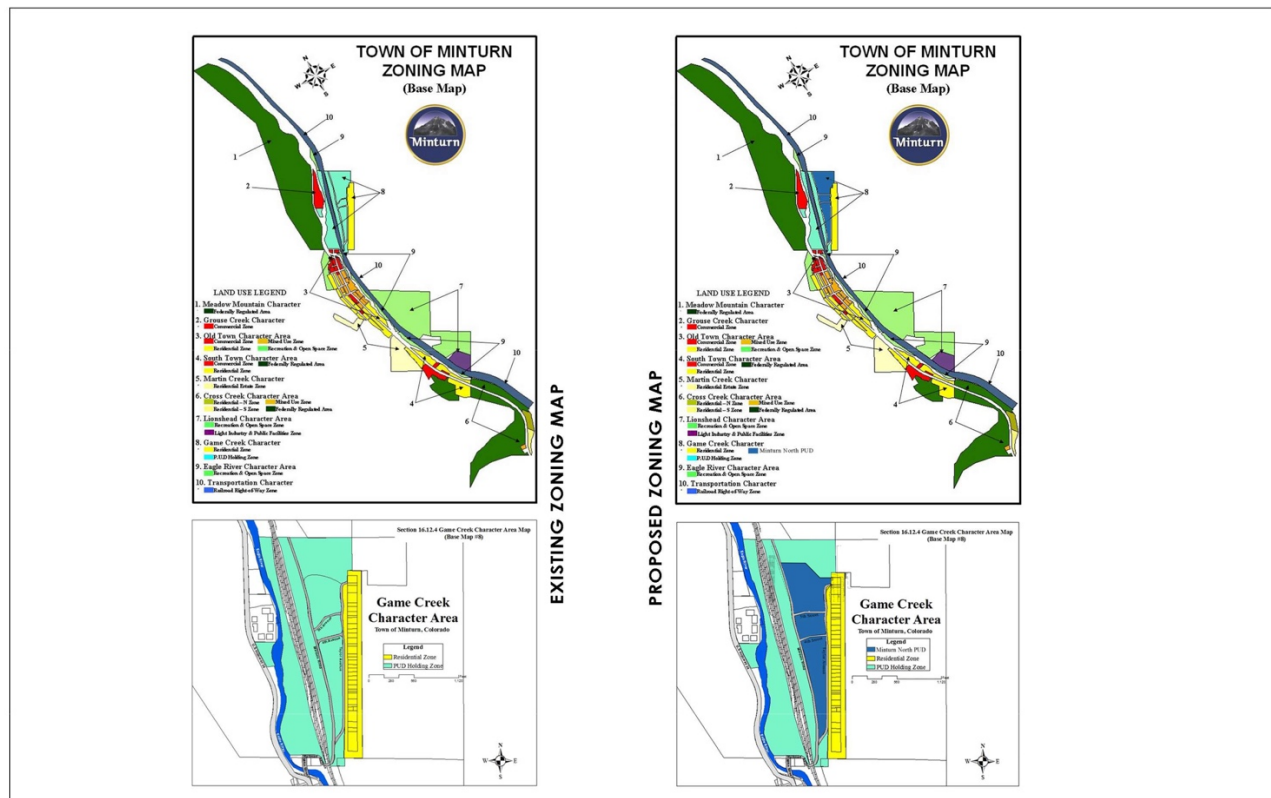
To Serve and Protect with Pride and Professionalism

5.17 Project Phasing

The Minturn North PUD is not a phased project. Appropriate securitization will be provided in the Subdivision Improvement Agreement. The Subdivision Improvement Agreement is provided in **Appendix R**.

5.18 Character Area and Zone District Map

A Character Area and Zone District Map and amendment application is attached as **Appendix T**. The Final Plat can be found in **Appendix Y**. Applicant has reviewed Section 17 – Subdivision of the Town of Minturn Code and complies with the requirements.



5.19 Common Recreation and Open Space

Refer to section 4.11 above.

5.20 Natural Resource Protection

The Minturn North PUD considers the recommendations made by the applicable analysis documents, as well as the recommendations of referral agencies. A summary of natural resource findings is located in **Appendix U**. A Wildlife Mitigation Plan is located in **Appendix K**.

The PUD includes a minimum 30' platted buffer zone along Game Creek which is identified to the right.



5.21 Authorized Variances

The very nature of a PUD is to accommodate requested variances which improve the efficiency of the proposed uses. It is not the intent of the applicant to “over-reach” on requested variances, therefore a targeted approach has been used. Below is a table of requested variances.

Town Charter and Municipal Code Authorized Variance Table			
Chapter 16, Article 2 – Game Creek Character Area Definitions, Illustrations and Lot Standards			
Type	Standard	Variance	Applicant Comments
Max. Building Lot Coverage	40%	Lots 1-33 (50%); Lots 34-39 (50%)	
Max. Impervious Surface Area	50%	Lots 1-33 (60%); Lots 34-39 (65%)	
Front Yard Landscape Setback	10'	N/A	Internal Roadways shall be owned and maintained by the Property Owners Association. Internal road R.O.W.'s have been designed to 50'. Front yard setbacks have been designed to 20' from R.O.W.. As a result, Applicant believes adequate space has been provided to allow for landscaping and snow storage between the edge of roadway and building setback. Therefore section 16-2-50.l shall not apply.
Lots 34-39 Minimum Lot Area	5,000sf	4,000sf	Applicant has designed the PUD in a manner to maximize open space. As a result, Applicant believes the reduction in Minimum Lot area is appropriate for the smaller “Local Housing” area.

Lots 34-39 Minimum Lot Dimension	50'	45'	Applicant has designed the PUD in a manner to maximize open space. As a result, Applicant believes the reduction in Minimum Lot Dimension is appropriate for the smaller “Local Housing” area.
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5.22 Locals Housing Plan

A primary objective of the Minturn North PUD is to create a secure, respectful, inclusive, and welcoming neighborhood that extends beyond the front door of every resident – meaning the community space is as important as the private realm. As such, the Minturn North PUD has taken a comprehensive approach to contributing to locals housing. This holistic method incorporates the use of deed-restricted locals housing and deed-restricted resident-occupied housing. It is proposed that lots 34-39 within the Minturn North PUD have a deed restriction which restricts occupants to permanent Minturn residents only.

Additionally, the Minturn North PUD proposes to deed restrict lots 1-33 to allow for non-permanent Minturn Resident Buyers to pay the Town of Minturn an additional 1% transfer assessment upon each transfer of real estate.

Refer to **Appendix H and I** for the proposed deed restrictions.

5.23 Final Plat

Refer to **Appendix Y** for Final Plat.

SECTION 6.0: ADDITIONAL PROVISIONS

6.1 Landscaping and Illumination

Landscape plans have been provided in **Appendix W** which include the following: 2 lot landscape plan prototypes and overall common area. The intent of the Landscape plans is to provide sufficient information on how landscape is to be treated in open space areas, intersections, and around homes. The goal of the plans is to demonstrate safe line-of-sight for pedestrian and vehicular movement in and around the neighborhood as well as providing for efficient water use, erosion control, native vegetation protection and temporary irrigation controls. The landscape plan is intended to convey the overall intent, depict areas where trees, shrubs, ground cover and other forms of vegetation will be preserved, removed, or replaced.

Each individual home will provide a landscape plan at time of Town of Minturn Design Review submittal. Irrigation shall be incorporated in an efficient and conservative manner consistent with the detailed outline provided in the Minturn North PUD Guide included in this submittal as **Appendix C**. The character of the Game Creek corridor shall remain in its existing condition, with the exception of the addition of a mud-flow prevention berm. The berm is to be located outside the 100-year floodplain.

Permanent irrigation associated with individual residences shall be on a common, multi-zoned irrigation system controlled by the Minturn North Property Owners Association. Each residence is allowed a maximum 2,000 s.f. of permanent irrigation. Temporary irrigation areas shall be no greater than 50,000 s.f. at any given time. Temporary irrigated areas shall be allowed for a two-year growing cycle and shall be removed immediately thereafter by the Applicant, as directed by the Town of Minturn. A maximum of 2,000 s.f. of permanent irrigation is allowed in the common area along Fourth Street.

Illumination within Minturn North is addressed in the PUD Guide provided herein as **Appendix C**. All lighting must be dark sky compliant and energy efficient to the highest extent practicable unless permitted otherwise by the Town of Minturn for purposes of safety.

6.2 Signage

Signage within Minturn North is addressed in the PUD Guide provided herein as **Appendix C**. Primary signage locations have been identified in the Landscape Plans in **Appendix W**.

SECTION 7.0: SUSTAINABILITY AND CONSERVATION

7.1 Water Quality Measures

The Minturn North PUD accommodates proper stormwater and snowmelt drainage pursuant to the civil engineering design and accompanying reports.

7.2 Water Quantity Measures

Indoor water fixtures and outdoor irrigation fixtures will use the latest technologies and be water use efficient fixtures. Residential fixtures, including but not limited to, toilets, urinals, shower heads, faucets, irrigation controllers shall be certified by the EPA's Water Sense program, or have an equivalent rating. Other irrigation devices, such as spray sprinkler bodies shall be rated for efficiency and low flow. All water using residential appliances, such as dishwashers, ice machines, and washing machines, shall be certified by the Energy Star program. This will reduce water needs for the project. Verification of the installation of required water efficiency fixtures and appliances will be inspected prior to occupancy. A Consumptive Use Analysis has been provided in **Appendix X**.

The Minturn North PUD shall be governed by the Town of Minturn "Water Wise Landscaping Regulations and Standards" in Chapter 16 of the Town of Minturn Municipal Code, with the exception of Sections 16-17-175 (a), (b) and (c).

7.3 Erosion Control

The PUD will comply with the Erosion Control Standards found in the Minturn Town Code as incorporated into the civil engineering design.

7.4 Sustainability

The PUD has been developed with environmental sustainability and energy efficiency at the forefront of the design. The PUD incorporates the latest in electric technological advances into the land planning and architectural designs. The following sustainability measures will be used within this PUD.

1. The project is an infill development which includes trails, access to public lands, public amenities and open space.
2. The project does not interfere with wildlife corridors and preserves ecologically sensitive lands.
3. The project avoids ridgeline development.
4. The neighborhood has been designed as an inclusive and socially diverse live work play space.
5. The project includes clustered development and a diverse mix of housing types including deed restrictions on 100% of the residential density.
6. The Minturn North PUD is a walkable community.
7. The PUD allows for solar panels on all homes.
8. Each single-family home will be provided a minimum of one (1) electric vehicle charging outlet.
9. All homes will be equipped with efficient water fixtures (Water Sense certified or equivalent) and appliances (EnergyStar certified or equivalent).
10. A sidewalk on Fourth Street, public trail connections and incorporation of the ECO Trail will be provided within the PUD such that everyone living within the PUD or coming to the PUD will be afforded reasonable pedestrian and bicycle access.
11. Exterior light fixtures within the PUD will be Dark Sky Compliant in an effort to minimize light pollution. Non dark sky compliant security lighting may be incorporated on an as needed for safety basis as approved by the Town of Minturn Design Review Board.
12. Low Impact Design has been incorporated into civil engineering and landscape plans by the incorporation of the “Water Wise Landscaping Regulations and Standards” as noted in Section 7.2 above.

SECTION 8.0: Response to Referral Agency Comments

8.1 Water - Consumptive Use

In response to referral agency comments regarding consumptive use, Applicant has revised the Minturn North PUD to use a maximum of 54 SFE's provided by Town of Minturn Ordinance NO. 5 - Series 2020 in attached **Appendix N** plus the existing 6 SFE's on the property for a total of 60 SFE's. This assumes one additional SFE-for the purpose of maximum 2,000 s.f. common area permanent irrigation. Temporary irrigation areas do not require additional SFE's. Individual lots are restricted to a maximum 2,000 s.f. of permanent irrigation area. Applicant has agreed to limit temporary irrigation area to a maximum of 50,000 s.f. in any given year which will require applicant to have at least 3 phases of temporary irrigation. Applicant has agreed to limit temporary irrigation to a 2-year growth cycle after which the temporary irrigation must be removed by applicant unless approved otherwise by the Town of Minturn Engineer. Applicant shall be required to notify the Town Planning Department and Town Manager before beginning and at the end of each 2-year temporary irrigation period. A consumptive use

analysis has been provided in **Appendix X**. The consumptive use and restrictions noted above have been agreed upon by the Town Staff, Town Council, Town Consultants and Applicant.

The Minturn North PUD shall be governed by the Town of Minturn “Water Wise Landscaping Regulations and Standards” in Chapter 16 of the Town of Minturn Municipal Code, with the exception of Sections 16-17-175 (a), (b) and (c).

8.2 Wildlife

In response to CPW comments, development North of Game Creek has been removed from the PUD boundary. The remaining PUD area lies between existing development on Taylor Avenue and Minturn Road and the project density was reduced from 193 density units to 39 density units thereby reducing impact to wildlife. Additionally, the Game Creek buffer zone allows for separation between wildlife and development. Fencing of individual lots is allowed within the building envelopes. Fencing along Game Creek setback is also allowed. All fencing must comply with the CPW approved fencing designs to facilitate local and migratory wildlife. Refer to **Appendix K** for Wildlife Mitigation Plan. A bear proof trash container covenant has been included in the neighborhood governing documents included in **Appendix J**. The landscape plans will use plant material intended to minimize attraction by bears as well as visual cover for mountain lions. The drainage plan included in **Appendix M** includes appropriate measures to protect runoff into Game Creek and a minimum 30’ buffer zone has been created around the Game Creek area.

8.3 Watershed

In response to referral agency comments regarding watershed, Applicant has revised the plan to include substantially less density which allows for increased drainage area and open space in protection of the watershed. A minimum 25’ drainage, utility, snow storage and landscape easement has been added to the east and west boundaries of the PUD as well as additional open space areas to allow for collection, detention, and discharge of watershed. Additionally, all development occurs South of the minimum 30’ Game Creek buffer zone. These revisions are a substantial improvement to the prior submitted Preliminary Plan.

8.4 Public Finance

In response to referral agency comments regarding public finance, Applicant has provided the Town of Minturn Financial Impact Report to include a conservative and realistic summary of the financial benefits to the Town. The summary includes assumptions which are relevant to any reader. A Subdivision Improvement Agreement has been provided in **Appendix R**. Due to the significant reduction of density, the Minturn North PUD does not include phasing, overlapping metropolitan district or cost sharing with the Town. The internal roadways and agreed upon off-site improvements are to be constructed by the Developer subject to the terms of the SIA (AKA PUD Agreement). Internal roadways, common area and open space will be owned and maintained by the to-be-formed Minturn North Property Owners Association. Applicant agrees to continue working with Town Staff to finalize the Subdivision Improvement Agreement prior to Town Council Final Approval and Final Plat. It is anticipated that the SIA will be executed along with agreed upon collateral prior to commencement of improvements.

8.5 Roadway Improvements – Minturn Road and Taylor Avenue

Applicant has agreed to pay for the cost of off-site improvements identified in **Appendix AA**, including the design and paving of Minturn Road from the North end of the PUD to Highway 24, including improvements to the intersection of Highway 24, and improvements at the Railroad Avenue s-curve. Included within this submittal are engineering drawings for the Minturn Road improvements adjacent to the Minturn North PUD boundary. Approval and engineering drawings for off-site improvements are to be conducted by the Applicant including improvements required by CDOT. Payment for off-site improvements shall be made by Applicant and secured by the approved SIA (AKA PUD Agreement). Refer to **Appendix AA** for final engineering drawings for roadway improvements adjacent to the Minturn North PUD. Off-site improvements relating to Minturn Road and the intersection of Minturn Road and Highway 24 shall be designed and constructed by Applicant prior to the issuance of the 30th Minturn North home TCO. A CDOT Access Permit has been received by Applicant and the Town and has been provided in **Appendix AD**.

In response to Taylor Avenue resident comments, Taylor Avenue improvements have been reduced to improvements and repairs required for utility connections. Additionally, an easement is provided for expanded Game Creek Trail parking at the northeastern edge of the property and a 5' wide sidewalk with ADA accessible curbs have been added to the North side of Fourth Street. The Fourth Street sidewalks will connect to the ECO Trail which is located on the western boundary of the PUD parallel to Minturn Road. A 25'+ wide drainage, utility, public trails, snow storage and landscape buffer and open space has also been incorporated within the PUD property along Taylor Avenue to allow for appropriate drainage and landscaping between the properties.

8.6 Emergency Services

Applicant has reviewed the PUD with Eagle River Fire Protection District, Eagle County Sheriff's Department and Eagle County Paramedic Services. All emergency service providers have agreed to service the PUD as indicated in Sections 5.15 and 5.16 above.

8.7 Utility Providers

Applicant has addressed comments from the utility providers (Specifically Xcel Energy) in the civil engineering drawings attached in **Appendix M**. All required utilities are adjacent to or within the existing property located within the Town of Minturn. Access and Easements for utility providers are reflected on the Final Plat.

8.8 Eagle County Trails

Applicant has agreed to install and pay for a 10' wide paved ECO Trail on the western boundary of the property and will continue to work with Eagle County Trails on the implementation of the trail connection.

8.9 Environmental Impact

Applicant has provided a Environmental Impact Report in **Appendix O**. The plan intentionally avoids development encroaching on Game Creek by creating a minimum 30' protective buffer zone. The PUD has been reduced in scope and scale in response to referral agency comments to allow for less impact to wildlife. Dust mitigation measures will be incorporated during home and infrastructure construction pursuant to Town Code. Soils identified in the Phase 1 and Phase 2 reports which are unsuitable will be removed pursuant to the engineer's recommendations. Open pit inspections will be conducted on each residence to assure appropriate soils stabilization is installed. The Landscape Plan attached in **Appendix W** and Final Engineering attached in **Appendix M** address protection of environmentally sensitive areas.

8.10 Engineering

Applicant has met with Town of Minturn Engineer Jeff Spanel of Inter-Mountain Engineering on multiple occasions. Revisions to the PUD documents have been made in response to the referral comments. Refinements to the civil engineering attached in **Appendix M** will continue as applicant proceeds to Final Approval.

8.11 Town of Minturn Staff

Applicant has met with Town of Minturn Staff on multiple occasions in an effort to address comments from all stakeholders and referral agencies. This Minturn North PUD seeks to thoroughly respond to all comments received in order to produce a plan which is respectful of the Town's goals and objectives. Staff has been very responsive throughout the process and applicant appreciates the professionalism of all involved.

SECTION 9.0: COMMUNITY OUTREACH

Resort Concepts has reviewed stakeholder, referral agencies, Town of Minturn Staff, Planning Commission and Town Council comments. Although, it is unrealistic to address all of the comments reviewed, we have taken the time to incorporate plan comments and desires which were aligned with the goals of creating a sustainable, high quality, inclusive and financially viable community.